

**FLATHEAD COUNTY PLANNING BOARD
WORKSHOP MINUTES
FEBRUARY 27, 2014**

**CALL TO
ORDER**

A workshop of the Flathead County Planning Board was called to order at approximately 6:04 p.m. Board members present were Noah Bodman, Jim Heim, Tim Calaway, Greg Stevens and Jeff Larsen. Gene Shellerud, Marie Hickey-AuClaire and Ron Schlegel had excused absences. BJ Grieve and Erik Mack represented the Flathead County Planning & Zoning Office.

There were no people in the audience.

**PUBLIC
COMMENT
6:05 pm**

No public in attendance.

**DISCUSSION OF
“HOME
OCCUPATIONS”
AS A LAND USE,
HOW THEY ARE
RELATED BY
THE FLATHEAD
COUNTY
ZONING
REGULATIONS,
AND WHETHER
OR NOT ANY
REVISIONS TO
THE
REGULATIONS
ARE DESIRED
BY THE
PLANNING
BOARD, PER
76-2-204 M.C.A.
6:05 pm**

Grieve reviewed the history of home occupations being placed on this agenda and how the information before the board had been accumulated. He wanted to say studies on home occupations and accessory apartments reference smart growth repeatedly. He knew the term ‘smart growth’ was an unpopular term in Flathead County. There were strong feelings for and against the term smart growth. Many of the studies which appear to have valid data do have that term in them. Staff was neither for or against the term, they were simply presenting documents which seem to give the best information on the subjects. These two subjects happen to fall into categories which smart growth dealt with.

Mack reviewed what was currently in the zoning regulations for home occupations.

Grieve reviewed interpretations which applied to home occupations.

The board and staff discussed specifics of number of employees for home occupation and how that number was determined. They also discussed where home occupations were permitted uses, why the board was addressing this issue, what conditional uses covered for home occupations and if complaints were because the restraints were too restrictive or too lax. They continued to discuss if other counties were similar in the way they handled home occupations, ideas of how to handle issues concerning traffic, the difficulties of enforcing traffic and the impact of

utilities concerning a home business, especially sewer. They continued to talk about enforcement actions concerning home occupations, if an attached garage was an accessory building, how a detached garage was different concerning home occupations and subdivisions which have covenants which preclude home businesses. They returned to the discussion concerning the issue of traffic with home occupations, how violations came to the attention of the Planning Office, the benefit of having an upper limit on traffic trips per day for a home occupation conditional use permit (CUP), how daycares are reviewed, how the traffic was counted, how to word the requirements for traffic and the differences between a home occupation and secondary principle use. They discussed doubling the traffic counts as an upper limit for a CUP, parking and what was included in vehicle trips.

Grieve and the board summarized what had been discussed and what to bring back before the board. They discussed utilities again and why they were used as criteria for a home occupation CUP.

**DISCUSSION OF
“ACCESSORY
APARTMENTS”
AS A LAND USE,
HOW THEY ARE
REGULATED BY
THE FLATHEAD
COUNTY
ZONING
REGULATIONS,
AND WHETHER
OR NOT ANY
REVISIONS TO
THE
REGULATIONS
ARE DESIRED
BY THE
PLANNING
BOARD, PER
76-2-204 M.C.A.
7:13 pm**

Grieve discussed the differences in accessory apartments which were also called accessory dwelling units (ADU), and his discussion with Environmental Health concerning them. The length the ADU needed to be rented was 30 days in order to be a dwelling. In many ways, ADUs were in compliance with the Growth Policy. He wanted the board to read the research concerning the issue. There was a lot of opportunity to ‘overdo’ the regulations concerning the ADUs. The board needed to decide in what zones were they appropriate, how many were considered appropriate and what process was appropriate to permit them. The processes were permitted use, administrative permit or conditional use permit. The board also needed to decide on performance standards and a definition of ADUs. He offered suggestions of ways to do it as mentioned in the research.

The board discussed high density neighborhoods, high density infill, affordable housing and the benefits of accessory housing in certain situations.

The board and Grieve discussed guest houses, the differences and impacts between renting by the month or week, the differences between an internal ADU or detached ADU and where the board wanted to go with ADUs for the zoning regulations. They continued to discuss what zoning the ADUs would be

placed, if duplexes were only allowed by a CUP, access to the ADUs and fire regulations.

Grieve and the board discussed if they wanted to read the material and discuss the issue later or if they wanted to discuss the issue at all. They also talked about how often the Planning Office encountered the issue and who used the ADUs.

The board decided to go ahead with contemplating ADUs for the zoning regulations.

Staff and the board discussed how and where to allow ADUs and what was needed as far as performance standards were concerned.

The office will draft ideas on home occupation and will wait for the board for guidance on ADUs.

Grieve and the board set the date for the next workshop on March 12, 2014 after the regularly scheduled meeting.

**PUBLIC
COMMENT
8:00 pm**

There was no public in attendance.

ADJOURNMENT The workshop was adjourned at approximately 8:00 pm.

Marie Hickey-AuClaire, Chairman

Donna Valade, Recording Secretary

*APPROVED AS **SUBMITTED**/CORRECTED: 4/9 /14*